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|  <p style="text-align: center;"><b>WEST VIRGINIA<br/>DIVISION OF<br/>JUVENILE SERVICES</b></p> |   | <b>POLICY NUMBER:</b><br> | <b>PAGES:</b><br><p style="text-align: center;">4</p> |
| <b>CHAPTER:</b><br><b>Administration and<br/>Management</b>   | <b>REFERENCE AND RELATED STANDARDS:</b><br>WV Code Chapter §49-2-903; ACA 3-JTS-1C-08 thru 1C-11; ACA 3-JDF-1C-06 thru 1C-09; and ACA 3-JCRF-1C-08/09; Prison Rape Elimination Act (PREA) of 2012, §115.317 |   |   |
| <b>SUBJECT:</b> Selection and Promotion of Non-Correctional Officer Personnel   |   |   |   |
| <b>DATE:</b> July 1, 2015   |   |   |   |

### PURPOSE

It is the West Virginia Division of Juvenile Services' policy to ensure the availability of a career ladder for advancement by non-correctional officer personnel within the Division and qualified individuals seeking employment with the Division of Juvenile Services.

### CANCELLATION

This policy has been reviewed and supersedes Policy 131.00 dated July 1, 2014.

### APPLICABILITY

This Policy applies to all Division of Juvenile Services' employees classified as non-correctional officer personnel by the Division of Personnel.

### PROCEDURES

1. When a vacancy exists which will be filled through promotion, the Facility Superintendent/Director or the Division Director/designee shall cause a written notice to be posted.
2. This notice shall be posted in designated locations for ten (10) calendar days.
3. This notice shall include:
  - a. A description of the vacancy
  - b. Requirements for filling the vacancy

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- c. Method of application
  - d. Date posted
  - e. Date the posting closes
4. If there are four (4) or less applicants for a posted position, the Facility Superintendent/Director or Division Director/designee of the facility/office in which the vacancy exists may choose to re-post the position.
  5. The agency shall consider any substantiated incidents of sexual harassment in determining whether to promote anyone.
  6. For the purpose of determining the economic feasibility of promotions, the funding established in the expenditure schedule for each position will be verified by the Director of Budget and Finance, prior to processing the action.
  7. Consideration will also be given to the following factors as they relate to each facility:
    - a. Number of filled positions
    - b. The total cost of the requested promotion/position salary
  8. All applicants must meet the minimum qualifications established by the Division of Personnel for any vacancy. Division of Personnel job specifications allow for experience and education substitutions for position qualifications. The Division of Personnel will make the final determination on qualifying, in accordance with applicable requirements.
  9. Non-DJS applicants applying for positions covered by this policy shall be subject to a criminal background investigation through NCIC by Central Office personnel.
    - a. The agency shall consult any State or local child abuse registry for information on substantiated allegations of sexual abuse by any potential hire.
    - b. The agency shall consider any incidents of sexual harassment when hiring or promoting any employee.
    - c. The results of the criminal background investigation of candidates who are current state employees may be made available to other state agencies.

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10. **Employee Disciplinary Action:** A written reprimand shall deem the employee ineligible for a promotion for six (6) months from the date of the disciplinary action.
  - a. An employee who has been suspended or demoted for disciplinary purposes shall be deemed ineligible for a promotion for one (1) year from the date of the disciplinary action.
  - b. Employees must be eligible at the time of the closing date of the posting.
  - c. Disciplinary actions that have been removed as directed by policy and/or a legal proceeding cannot be considered as a part of this promotional process.
11. A current state employee seeking transfer must meet minimum requirements as established by the West Virginia Division of Personnel and Division of Juvenile Services' Conditions of Employment. A current state employee seeking to laterally, upwardly, or downwardly transfer into a posted position can do so after interviewing at the discretion of the Appointing Authority as long as the applicant meets the minimum qualifications established for the position by the West Virginia Division of Personnel and Division of Juvenile Services' Conditions of Employment. Any applicant selected in this fashion must be recommended by consensus for the position by the Interview Committee.
12. **Interview Committee:**
  - a. The Facility Director/Superintendent shall assemble a three-member interview group. All members of the interview team can be from that facility if the position would not be a promotion for any current Division employee.
  - b. The interview team must include a Division representative not employed at that facility for any position that may possibly result in a promotion for a facility employee.
  - c. Individuals serving on any interview committee must be of an equal or higher rank of the vacant position rank.
  - d. The Facility Superintendent/Director shall designate the Committee Chairperson.
  - e. Notification of the interview team must be forwarded to the Division's Human Resources Director prior to the interviews.
13. Prior to conducting the interview, all eligible applicants will be notified of the date, time and location of their interview.

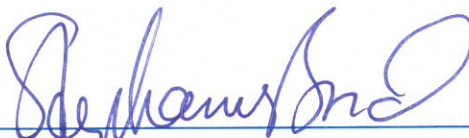
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14. Upon completion of the interview process, the Interview Committee or individual(s) shall make a recommendation regarding which applicant will be selected. This recommendation is then submitted to the Facility Superintendent/Director.
15. The selected applicant shall be notified by the Facility Superintendent/Director.
16. This policy will be adopted in its entirety and the facility will not create an operational procedure.

### **RIGHTS RESERVED**

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

**APPROVED:**

  
**Director**

  
**Date**